

Sizewell C

Compulsory Acquisition Hearings

Written Submission to Deadline 7 on behalf of David and Belinda Grant

We are writing to confirm our oral representations at the Compulsory Acquisition Hearings on Wednesday 18th August, on behalf of the David and Belinda Grant of [REDACTED]

Mr Grant provided his own comments at the end of this presentation as clarified with the Administration team that morning.

Fordley Hall Farm extends to approximately 330 acres and is best described as an attractive residential farm, rich with environmental features. This has been recognised by the Suffolk Agricultural Association who awarded it the Best Small Farm in Suffolk in 2019 together with a special award for Best Conservation. It was a fitting tribute to David and Belinda's unstinting work to enhance the farm from what I remember being a barren environment when they purchased it 20 years ago.

It should be made clear, that this representation does not constitute a formal objection to the principle of compulsory acquisition. Indeed, as David has alluded to in the previous days hearing, after 16 months of protracted negotiations, he has signed Heads of Terms to sell the land required voluntarily through an option mechanism put forward by EDF. Though these terms are not binding, despite initial delays in receipt of the option precedent being available, we have begun work on a tailored option agreement as requested by the applicant.

Engagement

I would like to provide our perspective on the engagement by the applicants and their agents which was described by Mr Cuncliffe and Mr Philpott.

No one could deny the difficulties of life over the last 16 months and both personally and professionally they have been the most challenging circumstances I have ever faced.

Thus, I have some sympathy with the problems that the applicant and their agents have had in pursuing negotiations by agreement which began back in late 2019. However there have been times when we have perceived the tangible impression that the applicant to use a phrase is "going through the motions" not applying as much effort as I would have expected an acquiring authority to do in these circumstances.

The option negotiations have been complicated and inevitably the proposals involving the construction of the Sizewell Link Road (SLR) have potentially a major impact on our respective client's properties which can only be professionally assessed through site visits.

There has been a marked reluctance for either applicant or their agents to meet us on the ground so that we can show them the difficulties caused by their proposals. Meetings were declined at times due to COVID protocols being applied by the applicant but that did not stop them (apparently) sending out sub-contracted consultants to do survey work during the same period.

The first meaningful inspection to consider the impacts of the road was on 21st April this year.

The Impact of the Road

Turning to the physical impact of the SLR, [REDACTED] will in effect be severed into two with an almost an equal split resulting with approximately 140 acres remaining either side of the SLR route. There are six fields badly affected by severance, and being reduced in size by over 44%. This creates substantial problems for the ongoing farming of the land, effectively creating inefficient farming operations, extra time and cost, and reducing the viability of the farming business.

The severance also involves destroying valuable environmental habitats and renders the existing very traditional shoot almost inoperable.

It is probably the most extreme degree of severance to a farm I have seen in 35 years of professional practice.

This has been compounded by lack of practical proposals from the applicant to date to mitigate the affect of the severance. It has taken 3 months following the meeting in April for a proposal to be presented to our client involving a potential underpass. This proposal was limited to a specialist engineering drawing which was difficult to interpret and we gather only provides a limited solution given the head height of the underpass is only 2.8m, far less than the height of most modern agricultural machinery. To be fair, this was flagged by the agents beforehand but the presentation of the information still lacked any sensible guidance as to how the underpass would be constructed, and its immediate impact on the adjoining land.

Without any access, all farm traffic will have a long and inconvenient journey from both sides of the farm including crossing the SLR and using the busy A12.

Turning to the potential mitigation of the landscape and visual intrusion caused by the roads construction and use, to date we have not received a written proposal from the applicants and the sum of our contact has been a virtual call two weeks ago, with a promise of a meeting in early September.

The noise and lighting generated by the traffic using the SLR will have a detrimental affect on the enjoyment and value of Fordley Hall Farm including Fordley Hall itself. This is before you consider the impact of the construction period of both the SLR and the construction traffic going to the main development site to the east.

We fear that given the lack of thought to date, that any mitigating proposals will be inadequate particularly given the width of the SLR in the vicinity of Fordley Hall and the limited extent of the margin between that and the boundary of the DCO application.

Our concern(s) that the applicant would not fully acknowledge the diminution of the value of any property severed by the SLR has been long founded. During early negotiations it became apparent that the inclusion of the right to claim under the Compensation Code for Severance and Injurious effect was absent. I appreciate the aspect of respective commercial positions of any negotiation including this one, but the lack of this being volunteered when it was immediately foreseeable looked, at best, an oversight.

The right to claim under these compensation headings is now part of the voluntary acquisition process however I still contend that the applicant has not fully considered the full financial impact of the acquisition of the land required for the SLR, on our client's property.

We genuinely want to engage with the applicant to resolve these issues believing it is reasonable to do so but the applicant needs to show more urgency in putting forward proposal to mitigate the impact of their proposed acquisition. We are a long way down the examination process prior to its closure in October and we have only had limited opportunities to bring the concerns we have into the public arena.

We urge that the applicant engages more effectively, and they also provide an undertaking that they will have the financial resources to deal with the genuine claims which will arise over and above the terms of the voluntary agreement.

M G Horton, BSc MRICS
On behalf of Savills (UK) Ltd
27th August 2021